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Office of Petitions
PATENT

Customer No. 22,852
Attorney Docket No. 4853.0023-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Y. Sakagami et al.

Application No.: 10/051,098

Filed: January 22, 2002

For: Plant Growth Factor

)
) Prior Application:
)
) Group Art Unit: 1653
)
) Examiner: Gupta, A.
)
)
)
)

Commissioner for Patents
Washington, DC 20231

Attention: **OFFICE OF PETITIONS**

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**PETITION AND RESPONSE TO NOTICE OF INCOMPLETE
NONPROVISIONAL APPLICATION**

In response to the communication of February 12, 2002, Applicants submit drawings (2 pages, Figs. 1, 2, 3a, 3b, and 3c) as required under 35 U.S.C. 113 and Petition for a filing date of January 22, 2002. These drawings were inadvertently omitted from the filing papers when this application was filed with the Office on January 22, 2002. Applicants further submit the required fee of \$130.00 and a copy of the Notice. Please associate these drawings with this application.

Applicants note that the attached drawings are part of prior Application No. 08/949,038 (filed October 10, 1997, and now U.S. Patent No. 6,004,906). Prior application 08/949,038, on which Applicants rely for the benefit of maintaining the filing date of January 22, 2002, is incorporated by reference in this application. (See page 2,

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at item no. 9, of the Request for Filing a Divisional Application under 37 C.F.R. § 1.53(b), filed on January 22, 2002). The declaration submitted in this application was executed in the prior Application No. 08/949,038 and, thus, does encompass the drawings. Consequently, Applicants submit that a newly executed oath or declaration is not needed to submit these drawings. Applicants respectfully petition that the Office consider this information and accord this application the filing date of January 22, 2002.

Please grant any extensions of time required to enter this response, and charge any required fees not included herewith to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 21, 2002

By: Rebecca M. McNeill
Rebecca M. McNeill
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